

**United States Bankruptcy Court/Southern District of New York**  
**Lehman Brothers Holdings Claim Processing Center**  
**c/o Epiq Bankruptcy Solutions, LLC**  
**FDR Station, P.O. Box 5076**  
**New York, NY 10150-5076**

## PROOF OF CLAIM

In Re: <b>Lehman Brothers Holdings Inc., et al.</b> Debtors.	Chapter 11 Case No. 08-13555 (JMP) (Jointly Administered)
Name of Debtor Against Which Claim is Held <b>LB Rose Ranch LLC</b>	Case No. of Debtor <b>09-10560 (JMP)</b>

NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503. Additionally, this form should not be used to make a claim for Lehman Programs Securities (See definition on reverse side.)

**Name and address of Creditor:** (and name and address where notices should be sent if different from Creditor)  
**Ironbridge Mountain Cottages, LLC, P.O. Box 10483, Aspen, CO 81612**

Notices to: **Duncan E. Barber, Esq., Blasing, Shapiro & Burrus, LLP, 4582 S. Ulster St. Pkwy, Suite 1650, Denver, CO 80237**

Telephone number: **720-488-0220** Email Address: **dbarber@bsblawyers.co**

Name and address where payment should be sent (if different from above)

Telephone number: **\_\_\_\_\_** Email Address: **\_\_\_\_\_**

### THIS SPACE IS FOR COURT USE ONLY

Check this box to indicate that this claim amends a previously filed claim.

Court Claim Number: \_\_\_\_\_  
(If known)

Filed on: \_\_\_\_\_

Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.

Check this box if you are the debtor or trustee in this case.

5. Amount of Claim Entitled to Priority under 11 U.S.C. § 507(n). If any portion of your claim falls in one of the following categories, check the box and state the amount.

Specify the priority of the claim:

- Domestic support obligations under 11 U.S.C. § 507(n)(1)(A) or (n)(1)(B).
- Wages, salaries or commissions (up to \$10,950), earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. § 507(a)(4).
- Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(5).
- Up to \$2,425 of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507(a)(7).
- Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(8).
- Other - Specify applicable paragraph of 11 U.S.C. § 507(a)(\_\_\_\_\_).

Amount entitled to priority:

\$ \_\_\_\_\_

### FOR COURT USE ONLY

1. Amount of Claim as of Date Case Filed: \$ See attached description  
 If all or part of your claim is secured, complete Item 4 below; however, if all of your claim is unsecured, do not complete item 4.  
 If all or part of your claim is entitled to priority, complete Item 5.  
 If all or part of your claim qualifies as an Administrative Expense under 11 U.S.C. § 503(b)(9), complete Item 6.
- Check this box if all or part of your claim is based on a Derivative Contract.\*  
 Check this box if all or part of your claim is based on a Guarantee.\*
- \*IF YOUR CLAIM IS BASED ON AMOUNTS OWED PURSUANT TO EITHER A DERIVATIVE CONTRACT OR A GUARANTEE OF A DEBTOR, YOU MUST ALSO LOG ON TO <http://www.lehman-claims.com> AND FOLLOW THE DIRECTIONS TO COMPLETE THE APPLICABLE QUESTIONNAIRE AND UPLOAD SUPPORTING DOCUMENTATION OR YOUR CLAIM WILL BE DISALLOWED.
- Check this box if claim includes interest or other charges in addition to the principal amount of the claim. Attach itemized statement of interest or additional charges. Attach itemized statement of interest or charges to this form or on <http://www.lehman-claims.com> if claim is based on a Derivative Contract or Guarantee.
2. Basis for Claim: See attached description  
 (See instruction #2 on reverse side.)
3. Last four digits of any number by which creditor identifies debtor: \_\_\_\_\_  
 3a. Debtor may have scheduled account as: \_\_\_\_\_  
 (See instruction #3a on reverse side.)
4. Secured Claim (See instruction #4 on reverse side.)  
 Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information.  
 Nature of property or right of setoff:  Real Estate     Motor Vehicle     Other  
 Describe: See attached description
- Value of Property: \$ See attached     Annual Interest Rate %  
 Amount of arrearage and other charges as of time case filed included in secured claim, if any:  
 \$ See attached     Basis for perfection: Notice pursuant to 11 USC 546(b) +
- Amount of Secured Claim: \$ See attached     Amount Unsecured: \$ See attached +
6. Amount of Claim that qualifies as an Administrative Expense under 11 U.S.C. § 503(b)(9): \$ 0

7. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim.

8. Documents: Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages and security agreements. Attach redacted copies of documents providing evidence of perfection of a security interest. (See definition of "redacted" on reverse side.) If the documents are voluminous, attach a summary.  
 DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.

If the documents are not available, please explain:

Date:

Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any.

9/18/09

*Karen Brooks Member (Dien Bros Da)*

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

**ATTACHMENT TO  
IRONBRIDGE MOUNTAIN COTTAGES, LLC  
PROOF OF CLAIM FILED IN  
LEHMAN BROTHERS HOLDINGS, INC, et al  
CASE NO. 08-13555 (JMP)  
AGAINST DEBTOR LB ROSE RANCH LLC – CASE NO. 09-10560 (JMP)**

1. This Proof of Claim is based on amounts owing under a contract between LB Rose Ranch LLC (“Debtor” or “LB Rose Ranch”), and Ironbridge Homes LLC, a Colorado limited liability company, dated November 12, 2007 (the “Agreement”), as subsequently assigned to and performed by Ironbridge Mountain Cottages, LLC, a Colorado limited liability company (“Claimant”). Copies of the Agreement and Invoice setting forth the amount due on this Proof of Claim are attached hereto. Further supporting documentation and information is available upon request.
2. This Claim is for amounts owing under the Agreement for Claimant’s work on the following lots:

Lots 199, 200, 222 and 223  
Ironbridge P.U.D.  
Phase II, Filing 1, 2 & 3  
County of Garfield, State of Colorado

also known by the following street addresses:

Lot 199 – 0364 Red Bluff Vista, Glenwood Springs, CO 81601  
Lot 200 – 0340 Red Bluff Vista, Glenwood Springs, CO 81601  
Lot 222 – 0769 River Bend Way, Glenwood Springs, CO 81601  
Lot 223 – 0787 River Bend Way, Glenwood Springs, CO 81601

3. This Proof of Claim sets forth the principal amount owing under the Agreement as of the petition date as follows:
  - a. A secured Claim for direct costs in the amount of \$90.00. This portion of the Claim was perfected by filing and service of Notice Pursuant to 11 U.S.C. § 546(b) filed by Claimant in Case No. 08-13555 (JMP) at Dkt. No. 3139. As to this portion of the Claim, Claimant states that it is an oversecured creditor entitled to the rights and benefits of 11 U.S.C. § 506(b). Claimant’s entitlement to post-petition interest (in the amount of 12% per annum) plus attorneys’ fees and costs arises under C.R.S. §§ 38-22-101(5) and 38-22-118.
  - b. An unsecured Claim for Claimant’s “Cost Savings Fee” percentage due under the Agreement in the amount of \$63,580.00.

4. Since the petition date, Claimant has incurred additional costs associated with the Agreement and the underlying construction projects.
5. Claimant believes the Agreement constitutes an executory contract subject to Bankruptcy Code § 365. Claimant hereby reserves the right to amend this Proof of Claim based upon Debtor's election to assume or reject the Agreement.
6. Claimant hereby reserves the right to amend this Proof of Claim as additional information is obtained and based upon on-going costs associated with the Agreement and the underlying project.
7. The original party to the Agreement, Ironbridge Homes LLC, a Colorado limited liability company, has also filed a Proof of Claim based upon the Agreement. Claimant acknowledges that such other Proof of Claim is a duplicate of this Claim.
8. Objections to this Proof of Claim should be sent to Duncan E. Barber, Biegling Shapiro & Burrus LLP, 4582 South Ulster Street Parkway, Suite 1650, Denver, Colorado 80237; telephone 720/488-0220; fax 720/488-7711; e-mail dbarber@bsblawyers.com.

00102599



**Memo**

To: Tom Schmidt

cc:

Paul Bombalicky  
Darbe Gosda  
Steve Hansen  
David Joseph  
David Ockers  
Dave Wagner  
Mike Woelke

Date: November 12, 2007

Subject: Ironbridge Affordable Homes

From: Dirk Gosda

Based on our conversations today, Ironbridge Homes LLC would propose the following terms for us to construct our 2101A and 1203A homes on LB Rose Ranch affordable lots:

1. We will construct the 2101A plan for a Contract Price of \$228,000 and the 1203A plan for a Contract Price of \$215,000. You would pay actual direct costs up to the Contract Price. For each house, IBH would receive 100% of the actual cost plus 70% of the difference between the actual cost and the Contract Price. LBRR would retain the remaining 30%. If the actual cost is at or above the Contract Price then LBRR would pay the contract price.
2. Prices are good for homes started before October 1, 2008.
3. Prices do not include any payment towards the Ironbridge Recreation Center.
4. Prices do not include the cost of liability or builder's risk insurance. It has been assumed that LBRR will provide the insurance or that the Contract Price will be increased for the cost of the insurance if IBH has to pay for insurance.
5. Costs do not include non potable tap or meter fees.
6. Contract Price does not include any warranty work performed on the homes after turnover that is not covered by the subcontractors. All warranty work that is needed will be done at our cost.
7. We currently have the 4 affordable 2101A plans under construction in the Mountain Cottages. We will finish those as scheduled. We proposed to start 10 of the affordable 1203A plans near the recreation center as soon as winter breaks in 2008, approximately April 1, 2008. We would then build 35 free market homes. We would start the remaining 10 affordable units in September of 2008.

Please review this and call me with any corrections, comments or suggestions, otherwise, let me know and we will proceed as outlined above.

Thank you.

### Elevation Comparison Report

Page 1

## Affordable Budgets

		2101A Final		1203A Prelim	
Cost Code	Description	Original Amount		Original Amount	
015	Fees-Direct	\$11,305.00		\$12,553.00	
025	Arch / Design	\$275.00		\$275.00	
027	Survey	\$850.00		\$850.00	
028	Engineering	\$1,025.00		\$1,025.00	
035	Temp Facilities	\$1,980.00		\$1,980.00	
040	Temp Utilities	\$1,600.00		\$1,600.00	
042	Utilities	\$3,205.00		\$2,940.00	
045	Streets	\$2,480.00		\$1,816.00	
060	Const Clean	\$982.77		\$947.00	
062	Protection	\$177.00		\$143.00	
064	Excavation	\$7,743.00		\$6,500.00	
066	Foundation	\$28,026.00		\$18,598.00	
068	Hardscape	\$1,424.20		\$363.00	
074	Struct Steel	\$0.00		\$1,315.00	
078	Plumbing	\$11,013.00		\$11,000.00	
082	Electrical	\$6,190.00		\$6,450.00	
085	Lumber	\$6,520.87		\$7,920.00	
087	Truss/Components	\$14,980.50		\$16,150.00	
089	Frame - Labor	\$18,071.56		\$16,719.00	
120	Mech / HVAC	\$11,441.01		\$11,000.00	
125	Sheet Metal	\$2,063.00		\$1,646.00	
135	Roofing	\$8,100.00		\$6,039.00	
140	Insulation	\$2,429.00		\$3,122.00	
145	Windows/SGDs	\$2,901.79		\$3,192.00	
160	Veneer	\$0.00		\$0.00	
175	Drywall	\$9,129.25		\$10,368.00	
180	Paint	\$9,881.00		\$11,168.00	
190	Cabinets	\$4,271.00		\$3,800.00	
200	Finish Carp.	\$6,338.02		\$4,859.00	
215	Countertops	\$727.00		\$650.00	

EXHIBIT 1

### Elevation Comparison Report

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220	Int Glazing	\$393.97		\$170.00		
230	Flooring	\$5,651.41		\$4,500.00		
250	Appliances	\$1,235.00		\$1,235.00		
265	Garage Doors	\$1,918.00		\$1,918.00		
275	Elec Fixt	\$676.41		\$620.00		
	Bedroom 3	\$1,655.00				
526	Landscape	\$11,500.00		\$11,500.00		
	Subtotal	\$198,159.76		\$184,931.00		
	Fee					
	16%	\$31,705.56		\$29,588.96		
	12%					
	8%					
	Total Contract	\$229,865.32		\$214,519.96		

EXHIBIT 1

IRONBRIDGE MOUNTAIN COTTAGES, LLC  
410 Ironbridge Drive  
Glenwood Springs, CO 81601

INVOICE		
Date:		Invoice #
2/3/08		39847

Customer	
	Bill to LB Rose Ranch

For Direct Costs Associated With The Following Lots

		Draw 1 11/15/2007	Draw 2 12/7/2007	Draw 3 1/7/2008	Draw 4 1/24/2008	Draw 5 2/25/2008	Draw 6 3/25/2008	Draw 7 4/25/2008	Draw 8 5/30/2008	Draw 9 6/20/2008	Draw 10 12/30/2008
Lot 199		\$ 73,042	\$ 19,562	\$ 13,198	\$ 3,386	\$ 22,713	\$ 22,400	\$ 10,235	\$ 2,622	\$ 189	\$ (215)
Lot 199 Fee		\$ 8,765	\$ 2,347	\$ 1,584	\$ 406	\$ 2,726	\$ 2,688	\$ 1,228	\$ 315	\$ 23	\$ (26)
		81,807	21,910	14,782	3,792	25,439	25,088	11,463	2,937	212	(241)
Lot 200		63,602	22,473	17,201	5,870	21,881	19,664	10,104	1,752	18,065	\$ (150)
Lot 200 Fee		7,632	2,697	2,064	704	2,626	2,360	1,212	210	2,168	\$ (18)
		71,234	25,170	19,265	6,574	24,507	22,024	11,316	1,962	20,233	(168)
Lot 222		56,388	14,445	19,398	6,955	17,362	31,453	16,559	2,714	9,448	\$ 593
Lot 222 Fee		6,767	1,733	2,328	835	2,083	3,774	1,987	326	1,134	71
		63,154	16,179	21,726	7,790	19,445	35,227	18,546	3,040	10,582	664
Lot 223		57,757	12,075	21,038	4,068	18,672	35,717	14,777	5,426	9,626	\$ (148)
Lot 223 Fee		6,931	1,449	2,525	488	2,241	4,286	1,773	651	1,155	(18)
		64,688	13,524	23,563	4,556	20,913	40,003	16,550	6,076	10,781	(166)
Total Payments Balance		280,883	76,782	79,335	22,712	90,303	122,342	57,876	14,015	41,807	90
		(250,789)	(106,876)	(79,335)	(22,712)	(90,303)	(122,342)	(57,876)	(14,015)	(41,807)	
		30,094	(30,094)	0	0	0	0	0	(0)	0	90

	Actual Costs	Cumulative Fee	Actual Plus Fee	GMP	Change Order	Revised GMP	Variance
Lot 199	\$ 167,132	\$ 20,056	\$ 187,189	\$ 229,865	(\$10,672)	\$ 219,193	\$ 32,005
Lot 200	\$ 180,462	\$ 21,655	\$ 202,117	\$ 229,865	(\$10,672)	\$ 219,193	\$ 17,076
Lot 222	\$ 175,315	\$ 21,038	\$ 196,353	\$ 229,865	(\$10,571)	\$ 219,294	\$ 22,941
Lot 223	\$ 179,007	\$ 21,481	\$ 200,488	\$ 229,865	(\$10,571)	\$ 219,294	\$ 18,806

Total	\$ 90
Cost Savings Fee on Completed Homes	\$ 63,580
Total Due Ironbridge Mountain Cottages LLC	\$ 63,570